

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
CONTRARIAN CAPITAL MANAGEMENT,
L.L.C., CONTRARIAN CAPITAL FUND I,
L.P., CONTRARIAN DOME DU GOUTER
MASTER FUND, LP, CONTRARIAN
CAPITAL SENIOR SECURED, L.P.,
CONTRARIAN EM II, LP, CONTRARIAN
EMERGING MARKETS, L.P., POLONIUS
HOLDINGS, LLC, and CONTRARIAN
FUNDS, L.L.C.,

Plaintiffs,

-against-

BOLIVARIAN REPUBLIC OF VENEZUELA,

Defendant.

ANALISA TORRES, District Judge:

USDC SDNY
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19 Civ. 11018 (AT)

ORDER

Before the Court is Plaintiffs' motion for an order finding that a "reasonable period of time" has elapsed since the Court entered judgment against Defendant pursuant to 28 U.S.C. § 1610(c). ECF No. 105. For the reasons stated below, Plaintiffs' motion is GRANTED.

BACKGROUND

On November 29, 2019, Plaintiffs filed this lawsuit against Defendant, alleging breach of contract for its failure to make required payments on two series of bonds issued by Venezuela. ECF No. 1. On October 1, 2020, the Court granted Plaintiffs' motion for summary judgment and denied Defendant's motion for a stay. ECF No. 74. The Court entered a final judgment on October 16, 2020 (the "Judgment"). ECF No. 81. Since that date, Defendant has not made any payments on the Judgment. Pl. Decl. ¶¶ 4–6, ECF No. 107. On May 24, 2021, the Court entered a stipulation and final judgment resolving the parties' dispute over attorneys' fees and "[a]dditional [i]nterest [p]ayments on [b]onds [s]ubject to the [Judgment]." ECF Nos. 118–19.

DISCUSSION


The Court recently granted a motion under 28 U.S.C. § 1610(c) in *Pharo Gaia Fund Ltd. v. Bolivarian Republic of Venezuela*, a parallel, related case, concluding that a reasonable time had passed since the entry of judgment (the “Pharo Gaia Order”). No. 19 Civ. 3123 (S.D.N.Y. May 27, 2021), ECF No. 74. Defendant makes no additional arguments in this action as to why the court should not grant Plaintiffs’ motion, *see* ECF No. 106, and a longer period of time has now elapsed, *compare* Judgment (entered nearly nine months ago), *with* Pharo Gaia Order at 2 (holding that the seven months that had passed since the entry of judgment was a reasonable period of time). Therefore, for the reasons stated in the Pharo Gaia Order, Plaintiffs’ motion is GRANTED. However, this order does not bear on Plaintiffs’ enforcement of the May 24, 2021 judgment.

CONCLUSION

For the reasons stated above, Plaintiffs’ motion for an order finding that a “reasonable period of time” has elapsed following the entry of judgment pursuant to 28 U.S.C. § 1610(c) is GRANTED. The Clerk of Court is directed to terminate the motion at ECF No. 105.

SO ORDERED.

Dated: July 12, 2021
New York, New York



ANALISA TORRES
United States District Judge